



THE CHICAGO  
COMMUNITY TRUST  
EQUITY • OPPORTUNITY • PROSPERITY

# ESTABLISHING YOUR FUND

ADVANTAGES OF YOUR PHILANTHROPY  
AT THE CHICAGO COMMUNITY TRUST

ENROLLMENT, TERMS AND CONDITIONS, AND AGREEMENT



# CONGRATULATIONS

## CONGRATULATIONS ON OPENING A DONOR ADVISED FUND AT THE CHICAGO COMMUNITY TRUST.

For more than a century, The Chicago Community Trust has helped thousands of individuals and families identify and achieve their philanthropic goals. Whatever your goal, the Trust can help you make the kind of impact you desire on the causes and organizations most dear to you.

A donor advised fund with The Chicago Community Trust can be an ideal vehicle to manage your current charitable giving. Your fund at the Trust will also provide you with access to the people and resources who will assist you in planning a fulfilling philanthropic future for you and your family.

We look forward to serving you as you work with your family and your advisors in pursuit of your philanthropic dreams.

THE CHICAGO COMMUNITY TRUST  
225 N. MICHIGAN AVENUE  
SUITE 2200  
CHICAGO, ILLINOIS 60601  
[cct.org](http://cct.org)

**Tim Bresnahan, JD**, senior director of gift planning  
[tbresnahan@cct.org](mailto:tbresnahan@cct.org)  
312.565.2832

**Don Gottesman, JD**, director of gift planning  
[dgottesman@cct.org](mailto:dgottesman@cct.org)  
312.616.8000 x133

## FUND INFORMATION

### NAME YOUR FUND

#### What will you call your fund?

All donor advised funds at The Chicago Community Trust are identified by a unique fund name.

Please indicate the preferred name of your fund.

*NOTE: The word 'Fund' must appear in the title. For example: The Smith Family Fund*

## ABOUT YOU

### PRIMARY DONOR(S)

Please complete all applicable areas.

#### PRIMARY DONOR

Will this person act as primary fund advisor?    Yes    No

*Fund advisors have the authority to access fund information and recommend grants. Only primary donors can name additional fund advisors and successor advisors.*

Mr.    Mrs.    Ms.    Dr.

First Name

Middle Initial

Last Name

Date of Birth

Home: Street Address

City

State

ZIP Code

Business Name

Business: Street Address

City

State

ZIP Code

Primary Phone

Business Phone

E-mail

**I/We prefer to be contacted via**

E-mail

Primary Phone

Business phone

Mail

**QUESTIONS ABOUT THIS FORM?** Contact Tim Bresnahan at The Chicago Community Trust at [tbresnahan@cct.org](mailto:tbresnahan@cct.org), 312-565-2832.

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## ADDITIONAL PRIMARY DONOR

Will this additional primary donor act as additional primary fund advisor?    Yes    No

Mr.    Mrs.    Ms.    Dr.

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First Name

---

Middle Initial

---

Last Name

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Date of Birth

---

Relationship to primary donor

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Home: Street Address

Same address as primary donor

---

City

---

State

---

ZIP Code

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Business Name

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Business: Street Address

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City

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State

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ZIP Code

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Primary Phone

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Business Phone

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E-mail

**I/We prefer to be contacted via**

E-mail

Primary Phone

Business phone

Mail

## FUNDING SOURCE

If the donor advised fund is funded by a trust, foundation, estate or corporation, please complete this section.

Individual(s)

Trust/Foundation

Estate

Corporation

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Other

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## TRUST, FOUNDATION, ESTATE OR CORPORATION

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Name of Trust, Foundation, Estate or Corporation (if applicable)

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Taxpayer Identification Number

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Primary Telephone Number

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Primary Contact First Name

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Middle Initial

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Last Name

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Street Address

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City

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State

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ZIP Code

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Email Address

**QUESTIONS ABOUT THIS FORM?** Contact Tim Bresnahan at The Chicago Community Trust at [tbresnahan@cct.org](mailto:tbresnahan@cct.org), 312-565-2832.

# ADDITIONAL ADVISORS

## ADDITIONAL FUND ADVISORS

*Fund advisors have the authority to access fund information and recommend grants.*

**To name additional fund advisors**, please complete the section below.

If you do not wish to name additional fund advisors, please leave this section blank.

### ADDITIONAL FUND ADVISOR 1

Mr. Mrs. Ms. Dr.

First Name Middle Initial Last Name

Name of Trust, Foundation, Estate or Corporation (if applicable) Relationship to Primary Donor Date of Birth

**Mailing Address:** Home Business

Business Name

Street Address City State ZIP Code

Primary Phone Business Phone E-mail

**I/We prefer to be contacted via** E-mail Primary Phone Business phone Mail

### ADDITIONAL FUND ADVISOR 2

Mr. Mrs. Ms. Dr.

First Name Middle Initial Last Name

Name of Trust, Foundation, Estate or Corporation (if applicable) Relationship to Primary Donor Date of Birth

**Mailing Address:** Home Business

Business Name

Street Address City State ZIP Code

Primary Phone Business Phone E-mail

**I/We prefer to be contacted via** E-mail Primary Phone Business phone Mail

**QUESTIONS ABOUT THIS FORM?** Contact Tim Bresnahan at The Chicago Community Trust at [tbresnahan@cct.org](mailto:tbresnahan@cct.org), 312-565-2832.

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### ADDITIONAL FUND ADVISOR 3

Mr. Mrs. Ms. Dr.

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First Name Middle Initial Last Name

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Name of Trust, Foundation, Estate or Corporation (if applicable) Relationship to Primary Donor Date of Birth

**Mailing Address:** Home Business

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Business Name

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Street Address City State ZIP Code

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Primary Phone Business Phone E-mail

**I/We prefer to be contacted via** E-mail Primary Phone Business phone Mail

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### ADDITIONAL FUND ADVISOR 4

Mr. Mrs. Ms. Dr.

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First Name Middle Initial Last Name

---

Name of Trust, Foundation, Estate or Corporation (if applicable) Relationship to Primary Donor Date of Birth

**Mailing Address:** Home Business

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Business Name

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Street Address City State ZIP Code

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Primary Phone Business Phone E-mail

**I/We prefer to be contacted via** E-mail Primary Phone Business phone Mail

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**If you have named more than one additional advisor,** please indicate below how you would like the additional advisors to serve:

Grant recommendations must be made jointly by all advisors

Any advisor or combination of advisors can recommend a grant

*Please provide the same information for additional advisors on additional sheets of paper.*

**QUESTIONS ABOUT THIS FORM?** Contact Tim Bresnahan at The Chicago Community Trust at [tbresnahan@cct.org](mailto:tbresnahan@cct.org), 312-565-2832.

## SUCCESSOR ADVISORS

Successor advisors advise the fund after the death or incapacity of the primary donors and additional fund advisors.

For example, many donors choose children and grandchildren to serve as successor advisors. If you do not wish to name successor advisors, please leave this section blank.

Only the donor may change the selection of successor advisors at any time before the donor's death or incapacity.

### SUCCESSOR ADVISOR 1

Mr. Mrs. Ms. Dr.

First Name Middle Initial Last Name

Name of Trust, Foundation, Estate or Corporation (if applicable) Relationship to Primary Donor Date of Birth

**Mailing Address:** Home Business

Business Name

Street Address City State ZIP Code

Primary Phone Business Phone E-mail

**I/We prefer to be contacted via** E-mail Primary Phone Business phone Mail

### SUCCESSOR ADVISOR 2

Mr. Mrs. Ms. Dr.

First Name Middle Initial Last Name

Name of Trust, Foundation, Estate or Corporation (if applicable) Relationship to Primary Donor Date of Birth

**Mailing Address:** Home Business

Business Name

Street Address City State ZIP Code

Primary Phone Business Phone E-mail

**I/We prefer to be contacted via** E-mail Primary Phone Business phone Mail

**QUESTIONS ABOUT THIS FORM?** Contact Tim Bresnahan at The Chicago Community Trust at [tbresnahan@cct.org](mailto:tbresnahan@cct.org), 312-565-2832.

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### SUCCESSOR ADVISOR 3

Mr. Mrs. Ms. Dr.

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First Name

---

Middle Initial

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Last Name

---

Name of Trust, Foundation, Estate or Corporation (if applicable)

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Relationship to Primary Donor

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Date of Birth

**Mailing Address:** Home Business

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Business Name

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Street Address

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City

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State

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ZIP Code

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Primary Phone

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Business Phone

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E-mail

**I/We prefer to be contacted via** E-mail Primary Phone Business phone Mail

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### SUCCESSOR ADVISOR 4

Mr. Mrs. Ms. Dr.

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First Name

---

Middle Initial

---

Last Name

---

Name of Trust, Foundation, Estate or Corporation (if applicable)

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Relationship to Primary Donor

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Date of Birth

**Mailing Address:** Home Business

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Business Name

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Street Address

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City

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State

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ZIP Code

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Primary Phone

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Business Phone

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E-mail

**I/We prefer to be contacted via** E-mail Primary Phone Business phone Mail

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**If you have named more than one successor advisor,** please indicate below how you would like the successor advisors to serve:

Individually serving in the order listed.

All serving concurrently and recommending grants by majority vote.

All serving concurrently and recommending grants by unanimous vote.

*Please provide the same information for additional successor advisors on additional sheets of paper.*

**QUESTIONS ABOUT THIS FORM?** Contact Tim Bresnahan at The Chicago Community Trust at [tbresnahan@cct.org](mailto:tbresnahan@cct.org), 312-565-2832.



## ADDITIONAL INFORMATION

### INTERESTS

Please indicate the charitable fields that interest you most.

Metropolitan Chicago	Education	Housing
Arts and Culture	Environment	Religious Organizations
Basic Human Needs	Growing Household Wealth	Civic Engagement
Community Development	Health	Workforce Development
College Financial Assistance	Social/Racial Justice	
Other (please specify) _____		

### DISTRIBUTIONS

**Your donor advised fund allows grant distributions from the entire balance of the fund.** However, you may elect to make your fund permanent by restricting the amount available for grant distributions to the Trust's spending policy. To learn more about making your fund permanent through endowment, please contact Tim Bresnahan, 312-565-2832, [tbresnahan@cct.org](mailto:tbresnahan@cct.org) or fax 312-616-5838.

**I would like my fund to be permanent** by annually restricting the amount available for grant making to the spending policy of The Chicago Community Trust.

### ANONYMITY

**You may choose to make grants anonymously** on a case-by-case basis through the grant recommendation process. Or, if you prefer complete anonymity for your fund, please indicate below.

Completely anonymous in all correspondence and publications of The Chicago Community Trust.  
(for example: grant letters, annual reports, newsletters, philanthropic programs)

### ESTATE PLANS

You may name your donor advised fund as a beneficiary of your estate plan. If you have already done so, please indicate the type of commitment in the space below.

If you would like to learn about how to include your donor advised fund in your estate plan, please contact Tim Bresnahan, 312-565-2832, [tbresnahan@cct.org](mailto:tbresnahan@cct.org) or fax 312-616-5838.

Will or Revocable Trust	Charitable gift annuity	Life insurance
Charitable remainder trust	IRA or other retirement plan assets	Charitable lead trust
Other _____		

### WHO REFERRED YOU TO THE CHICAGO COMMUNITY TRUST?

Professional Advisor	News or other media	Trust publications or <a href="http://cct.org">cct.org</a>
Current donor advised fund holder	Family/friend	Trust employee
Other _____		

Name

Company or Firm, if applicable

**QUESTIONS ABOUT THIS FORM?** Contact Tim Bresnahan at The Chicago Community Trust at [tbresnahan@cct.org](mailto:tbresnahan@cct.org), 312-565-2832.

## INVESTMENT SELECTION

You may recommend how your donor advised fund is invested.

Short Term Fund

Growth Pool

You may select from a menu of impact investment offerings if your fund has assets in excess of \$250,000. If you are interested, please check this box and your philanthropic advisor will provide details.

You may recommend your own investment manager if your fund has assets in excess of \$1,000,000. If you would like to do so, please indicate the name of your recommended manager below.

Name of Investment Manager \_\_\_\_\_

## GIFTING INSTRUCTIONS

Initial Contribution Value \_\_\_\_\_

Cash

Securities

Real Estate\*

Corporate Shares\*

Other \_\_\_\_\_

\*To learn more about our ability to accept these non-cash assets, please contact Tim Bresnahan, 312-565-2832, [tbresnahan@cct.org](mailto:tbresnahan@cct.org) or fax 312-616-5838.

If you are making a gift of cash via wire or ACH, please list the legal owner of the assets to be given to the donor advised fund. Notify Tim Bresnahan, 312-565-2832, [tbresnahan@cct.org](mailto:tbresnahan@cct.org) or fax 312-616-5838 to ensure that your gift is properly delivered.

Individual \_\_\_\_\_

Individual & Spouse \_\_\_\_\_

Other \_\_\_\_\_

Amount of Wire/ACH \_\_\_\_\_

### WIRE/ACH DELIVERY INSTRUCTIONS FOR CHARITABLE GIFTS OF CASH

To deliver cash, please use the following:

#### Wire Donation Instructions:

JP Morgan Chase

**ABA Number:** 021-000-021 | **Swift ID:** CHASUS33

**Account Name:** The Chicago Community Foundation

**Account Number:** 20000011881343

#### ACH Donation Instructions:

JP Morgan Chase

**ABA Number:** 028-000-024

**Account Name:** The Chicago Community Foundation

**Account Number:** 20000011881343

**QUESTIONS ABOUT THIS FORM?** Contact Tim Bresnahan at The Chicago Community Trust at [tbresnahan@cct.org](mailto:tbresnahan@cct.org), 312-565-2832.

**If you are making a charitable gift of stock**, please list the legal owner of the assets to be given to the donor advised fund.  
Notify Tim Bresnahan, 312-565-2832, [tbresnahan@cct.org](mailto:tbresnahan@cct.org) or fax 312-616-5838 to ensure that your gift is properly delivered.

Individual \_\_\_\_\_ Individual & Spouse \_\_\_\_\_

Other \_\_\_\_\_

### DTC TRANSFER INSTRUCTIONS FOR CHARITABLE GIFTS OF STOCK

**Please deliver stock via DTC to the Chicago Community Foundation's account at William Blair & Company.**

The information below will facilitate your delivery.

**DTC Number:** 0226

**Account Number:** GER-011555

**Account Name:** The Chicago Community Foundation

Stock Name \_\_\_\_\_ Quantity of Shares \_\_\_\_\_

Cusip Number \_\_\_\_\_ Transfer from Account Number \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

### CHECK DONATION INSTRUCTIONS

**Checks should be made payable to:**

The Chicago Community Foundation  
with the name of your fund noted in  
the memo line.

**Mail checks to:**

The Chicago Community Trust  
c/o Tim Bresnahan  
225 North Michigan Avenue  
Suite 2200  
Chicago, IL 60601

### CREDIT CARD DONATION INSTRUCTIONS

Credit card donations can be made online at [www.cct.org](http://www.cct.org) (a processing fee applies).

**QUESTIONS ABOUT THIS FORM?** Contact Tim Bresnahan at The Chicago Community Trust at [tbresnahan@cct.org](mailto:tbresnahan@cct.org), 312-565-2832.

# SIGNATURES

I/We acknowledge that I/we have read and agree to The Chicago Community Foundation's terms and conditions (see pages 11 to 12) and agree to the policies described therein.

I/We understand that the transfer of the property described above is an irrevocable gift to The Chicago Community Foundation and is not refundable to me/us, and such gift is intended to create a donor advised fund under Section 4966(d)(2) of the Code, and that nothing in this application shall affect the status of the Foundation as a component fund of the Trust.

## Donor(s)

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Signature

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Date

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Signature

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Date

**Please sign and send the completed agreement to:**

**Tim Bresnahan, JD**, senior director of gift planning  
**tbresnahan@cct.org**  
**312.565.2832**

THE CHICAGO COMMUNITY TRUST  
225 N. MICHIGAN AVENUE  
SUITE 2200  
CHICAGO, ILLINOIS 60601  
**cct.org**

# DONOR ADVISED FUND TERMS AND CONDITIONS

**All Funds are subject to The Chicago Community Foundation's ("Foundation") terms and conditions as may be amended from time to time at the Foundation's sole discretion.**

## PRIMARY DONOR

The primary donor is defined as the person who established the donor advised fund ("fund") and is responsible for the initial contribution. If the primary donor is not an active fund advisor, the named fund advisors may advise grant making from the fund. For these terms and conditions, the Foundation will communicate with the primary donor or fund advisor(s) as appropriate.

## FUND ADVISORS

Upon establishing a fund, the primary donor may give one or more fund advisors the authority to access information regarding the fund and make grant recommendations. Fund advisors will be able to access statements on a monthly or quarterly basis depending on underlying investments, and may request to have statements sent by mail. A primary donor is automatically a fund advisor unless otherwise indicated in writing by the primary donor. A person must be at least 18 years old to serve as a fund advisor.

## APPOINTMENT OF ADDITIONAL AND SUCCESSOR ADVISORS

Requests to appoint additional advisors, successor advisors, or to make changes in the fund advisors must be communicated to the Foundation in writing. Such requests will be accepted from the primary donor only. A maximum of two generations of successor advisors can be named. Should the fund advisor be deceased, unwilling or unable to serve or cannot be located, and a successor advisor has not been named and there is no written succession plan on file at the Foundation, then the Fund shall be converted to an unrestricted fund, or if the balance of the fund is below the minimum required amount to do so, it shall be transferred to the general endowment of the Foundation.

Funds created by organizations rather than by individuals are often advised by an appointed committee with an identified process for selecting new members. As with funds created and advised by individuals, additional advisors, successor advisors or changes in the fund advisors must be communicated to the Foundation in writing by the organization and/or the appointed committee.

## SUCCESSION PLANS

Primary donors have the opportunity to request a succession plan for their fund after all fund advisors cease to serve. There are many options available, including conversion to a designated, field of interest or unrestricted fund. If no succession plan is given in writing to the Foundation, the fund shall be converted to a named, unrestricted fund, or if the balance of the fund is below the minimum required amount to do so, it shall be transferred to the general endowment fund of the Foundation. All succession plans must be submitted in writing by the primary donor only and are subject to the Foundation's approval.

## MAKING GRANT RECOMMENDATIONS

Grants of \$250 or more may be recommended to a qualified 501(c)(3) public charity or private operating foundation in the United States. Grant recommendations are processed twice weekly - grant recommendations received by Monday are processed on Thursday; recommendations received by Thursday are processed the following Tuesday. The Foundation will contact the fund advisor if there is a delay in processing the grant request. Grants will be designated for general operating support unless otherwise noted by the fund advisor. Grant recommendations can be submitted online through Instant Impact using a user ID and password supplied by the Foundation. An unlimited number of grant recommendations can be made, and Instant Impact provides access to a list of previously approved grants to facilitate grant resubmissions. Alternatively, donors may e-mail, fax or mail a grant recommendation to the Foundation. Fund advisors receive confirmation via e-mail that grant recommendations have been approved and paid.

## GRANT LIMITATIONS

The Foundation verifies that all organizations recommended for grants are classified as public charities under Section 501(c)(3) of the Internal Revenue Code of 1986, as Amended ("Code") and, if needed, will request documentation from the organization. In the event that a matter of concern should surface, the Foundation will advise the fund advisor prior to releasing the grant.

IRS Rules and Regulations do not permit grants from a fund for memberships, sponsorships, tickets or for the fulfillment of a pledge agreement made by a donor, fund advisor or related party. Grants may not be made to individuals and cannot provide a benefit to the primary donor, fund advisor or any family member or related parties. Donors and family members may not receive grants, loans or similar payments from a fund. Any grant that provides personal benefit risks significant penalties to the fund advisor and the Foundation. Fund grants may not go to private nonoperating foundations.

## INTERNATIONAL GRANTS

Grants to international organizations with a U.S. 501(c)(3) public charity equivalent are subject to the Foundation's standard due diligence procedure. Contact your philanthropic advisor for more information about international grants.

## ANONYMITY

The Foundation's IRS Form 990 is accessible through public online resources, but does not disclose individual giving amounts or activity. The Foundation offers various levels of anonymity as part of the grant recommendation process. Primary donors may indicate a default preference for anonymity when completing the fund agreement.

## COMPONENT FUND

The Foundation is a component fund of The Chicago Community Trust ("Trust"). The Trust is a public charity described under Sections 509(a)(1) and 170(b)(1)(A)(vi) of the Code, and a single entity community foundation described under Section 170A-9T(f)(11) of the Treasury Regulations. The fund shall be subject to the governing instruments of the Foundation (Articles of Incorporation and Bylaws) as they may be amended from time to time.

## PERMANENT FUNDS

Primary donors may request to make their funds permanent by limiting the amount available for grant distributions to the Foundation's Spending Policy. Primary donors must make this request in writing. Should the fund be permanent, successor fund advisors may not change the distribution arrangement selected by the primary donor.

## LOW ACTIVITY FUNDS

To fulfill its mandate of distributing charitable dollars to the community, the Trust has adopted a [Dormant Fund Policy](#) which requires that the Trust regularly reviews DAF grant making activity. In the event there is low grant activity in the fund, a philanthropic advisor will contact the fund advisors to review the policy with the fund advisor and determine next steps.

## INVESTMENTS

The Foundation offers three investment options to donors: a Money Market Fund, a Growth Fund and, for funds with assets in excess of \$1,000,000, the ability of the primary donor to recommend their own investment manager. Primary donors elect an investment allocation at the time they establish the fund. Primary donors may request to change the investment allocation in writing at any time, subject to the approval of the Foundation. The Foundation will consider an investment allocation change no more than once per year and reserves the right to manage the timing of any transfers.

## INVESTMENT RETURNS

Investment returns for the growth and short-term investment pools are allocated pro-rata to funds on a monthly basis. Due to the inflows and outflows within each fund, the returns are allocated using the average of the daily balances.

## ADDITIONAL CONTRIBUTIONS

Once a fund is established, anyone may add to the fund at any time. There is no minimum contribution amount. Additional contributions will be deposited to the fund based on the investment allocation indicated in the Fund Agreement unless indicated otherwise.

## DONOR FUNDRAISING

Fundraising for funds is prohibited unless it is specifically authorized pursuant to a written fundraising plan submitted by the fund advisor to the Foundation. Such plans are subject to the review and approval of the Foundation. Please contact your relationship manager for more information.

No distribution from the fund shall be made if such distribution would result in the imposition of any tax described in Sections 4966 or 4967 of the Code.

The Foundation shall not retain in the fund any "excess business holdings" as defined in Section 4943 of the Code.

Neither the Foundation, donor, nor any advisor shall engage in any "excess benefit transaction", as defined in Section 4958(c) of the Code, with respect to the fund.

## GIFT ACKNOWLEDGMENT

All gifts are acknowledged in accordance with Code requirements. Generally, the IRS requires taxpayers to complete and file a Form 8283 with their federal income tax returns for gifts of property valued at \$5,000 or more. It is the donor's responsibility to obtain a qualified appraisal for all gifts other than cash and marketable securities for tax purposes.

## FUND FEES

Each fund will be allocated a portion of the Foundation's administrative, investment and other fees as set forth below.

## ADMINISTRATIVE FEES

Annualized administrative fees are deducted quarterly, based on the fund's previous quarter-end balance and subject to a \$360 minimum annual fee. The annual fee schedule is as follows:

- 60 basis points (0.6%) of the first \$1,000,000 in net assets
- 55 basis points (0.55%) of the second \$1,000,000 in net assets
- 45 basis points (0.45%) of the third \$1,000,000 in net assets
- 35 basis points (0.35%) of all net assets above \$3,000,000

Administrative fees cover grant and fund administration, due diligence procedures, the receipt and acknowledgment of contributions, processing and payment of grants and compliance with federal and state reporting requirements. Fees also support online fund access through Instant Impact and most of the Foundation's extensive donor services designed to enhance advisors' giving and philanthropic experiences. Fees are subject to change from time to time.

## COMPLEX GIFT FEE

Gift assets that require special review, such as real estate, limited partnership interests or closely-held stock, may incur additional fees to cover tax, legal, or other expenses incurred by the Foundation in association with the transaction. The Foundation reserves the right to charge the fund with respect to such additional fees as the Foundation in its sole discretion deems is appropriate.

## CREDIT CARD FEES

Contributions received by credit card result in a processing fee of 2.75% of the amount contributed. This fee covers bank transaction fees and is charged to the fund receiving the contribution.

## TAX IMPLICATIONS

As a public charity under Sections 501(c)(3) and 170(b)(1)(a) of the Code, initial and subsequent contributions made to the Foundation currently receive the maximum charitable deduction permitted under state and federal law. Each gift to the Foundation is acknowledged with a receipt confirming the date of the gift for the donor's tax records.

Note: The Foundation does not provide legal or tax advice. Donors should consult with their own financial, tax or legal advisors to determine the best charitable giving strategies for their needs and the tax implications associated with any contribution to the Foundation.

## SPENDING POLICY

The Foundation utilizes a Spending Policy to determine the amount available for annual grant making from its endowment funds. Such Spending Policy is currently 4.5% of the twelve-quarter rolling average market value of the fund minus administration fees, calculated as of June 30 every year. Funds are not generally required to adhere to the Spending Policy, but donors may elect for their fund to be a permanent fund and subject to the Spending Policy as described in these terms and conditions.

## CONTROL OF ASSETS/MATERIAL RESTRICTION

IRS Rules and Regulations require that the Foundation retain exclusive legal control over the assets contributed to the fund. As such, all grant recommendations are advisory only and subject to the review and approval of the Foundation. Additionally, the IRS requires all such funds be free of material restrictions imposed by donors in a manner consistent with the requirements of Section 1.507-2 of the Treasury Regulations.

## ASSIGNMENT

The rights and obligations with respect to a fund may neither be transferred nor assigned without the prior written consent of the primary donor and the Foundation. The advised function of any fund cannot be assigned or varied without the prior written approval of the Foundation.

## DISPUTES

The fund agreement (including these terms and conditions) between a primary donor and the Foundation is governed by Illinois law without regard to its conflicts of law principles. Venue for any disputes arising out of or in connection with a fund shall be cited in the federal or state courts located in Chicago, Illinois.

## CONFLICT OF TERMS

In the event of an inconsistency between these terms and conditions and any terms and conditions appearing elsewhere in connection with any component fund, these terms and conditions as interpreted by the Foundation shall govern, and the Foundation reserves the right to take any actions at any time which, in its discretion, it deems reasonably necessary or desirable for the proper administration of any component fund.

## PRIVACY POLICY

The Foundation deeply values its relationship of trust with its donors and fund advisors. The Foundation's Confidentiality Policy governs the maintenance of personal data and provides that the Foundation will not sell, trade or exchange information about its donors or fund advisors and will honor the wishes of those who prefer to remain anonymous in all communication materials.